

with the secretary of state a list of counties which in the opinion of the said board, possess accommodations for the proper care of the chronic insane, and thereafter each of said counties so named, which shall care for its own chronic insane under such rules as such board shall prescribe, on the properly verified certificate of said board to the secretary of state, shall receive the sum of one dollar and fifty cents per week for each person so cared for and supported, as hereinafter provided.

SECTION 2. This act shall take effect and be in force from and after the date of its passage and publication.

Approved March 15, 1889.

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[No. 62, S.]

[Published March 16, 1889.]

## CHAPTER 106.

AN ACT providing for new records of highways.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

Providing for new records of highways, how made, and filed.

SECTION 1. Whenever the record of the laying out of any highway in any town in this state shall be lost or destroyed, the supervisors of the town shall have power to make a new record of such highway by a written order made and entered in the records of the town. Whenever the supervisors shall contemplate making such new record, they shall make out a notice and fix therein a time and place at which they will meet and decide upon the same, which notice shall specify as near as may be the highway as to which they propose to make a new record. Such notice shall be served and posted in the manner provided by section 1267, of the revised statutes, but notice need not be given to such persons as will waive the same or consent to the making of the order either before or after the same is entered. The supervisors shall meet pursuant to the notice given and shall hear any reason or evidence that may be offered for o

against the proposed new record of the highway, and shall thereupon decide as they shall deem proper. They may adjourn the meeting from time to time, and an entry of each adjournment shall be made in the record by the clerk. If they find that the highway is a legal highway, the record whereof is lost or destroyed, they shall make an order determining such facts and farther determining and specifying the course, width and other pertinent description of the highway, and such order shall be filed and recorded in the office of the town clerk, who shall note the time of recording in the record. Any number of highways may be included in one such notice or order, and a failure or refusal to make a new record for any highway shall not preclude a subsequent proceeding for that purpose. Any person through whose land such highway shall pass, may appeal from such order on the ground that the highway described therein was not heretofore a legal highway in fact, in the time and manner provided for appeals from orders laying out highways, and like proceedings, as near as may be, shall be had thereon as in case of appeals from orders laying out highways. Such order of the supervisors, if there be no appeal therefrom, or the decision of commissioners affirming the same upon appeal, and the record, or a certified copy thereof, shall be presumptive evidence of the regularity of the proceedings prior to the making of such order, and of the correctness of the findings, determinations and matters therein stated, and the regularity of such proceedings shall not be called in question by any person except owners of land on whom such notice should have been served, but on whom such notice was not, in fact, served, and persons claiming under such owners.

SECTION 2. This act shall be so construed as to apply to any highways heretofore or hereafter laid out or established, and to cases of loss or destruction of records which have heretofore, or may hereafter occur.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 15, 1889.

What to apply to.